

## Message Text

CONFIDENTIAL

PAGE 01 PANAMA 02968 282234Z

70

ACTION ARA-10

INFO OCT-01 ISO-00 OES-06 L-03 NSC-05 SS-15 JUSE-00 SAB-01

DLOS-04 SAL-01 H-02 CIAE-00 INR-07 NSAE-00 CG-00

DOT-00 EB-07 TRSE-00 PM-04 DODE-00 PRS-01 USIA-06

/073 W

----- 045489

P R 282155Z APR 76

FM AMEMBASSY PANAMA

TO SECSTATE WASHDC PRIORITY 7550

INFO PANCANAL

USSOUTHCOM

C O N F I D E N T I A L PANAMA 2968

EO 11652: GDS

TAGS: PFOR, PBOR, EFIS, PN

SUBJECT: PANAMANIAN REQUEST FOR SEIZURE OF US FLAG VESSEL

REF: STATE 102028

1. I HAD FRUITFUL CONVERSATION LASTING NEARLY ONE HOUR TODAY WITH FOREIGN MINISTER AQUILINO BOYD. I WAS ACCOMPANIED BY DCM AND TOOK UP A NUMBER OF ITEMS INCLUDING: (A) CANAL TREATY NEGOTIATIONS REPORT AT OASGA; (B) OAS CHARTER REFORM; (C) LAW OF SEA; (D) VOLUNTARY RESTRAINT OF MEAT EXPORTS; (E) WATER RATES, ALL OF WHICH BEING REPORTED BY SEPTELS. I ALSO TOOK OPPORTUNITY TO DISCUSS "VOYAGER" TUNA BOAT INCIDENT.

2. I TOLD FONMIN I HAD BEEN INSTRUCTED TO RAISE THIS PROBLEM AT HIGH LEVEL IN GOP BECAUSE OF ITS POSSIBLE ADVERSE IMPACT ON TREATY NEGOTIATIONS. I REPORTED THAT DEPARTMENT HAD ALSO ADVISED ME OF A RELATED INCIDENT WHERE US FISHING VESSEL "BOLD PRODUCER" WAS REPORTEDLY FIRED UPON BY PANAMANIAN AIRCRAFT ON APRIL 26.

3. WITH REGARD TO "VOYAGER", I CONVEYED SUBSTANCE OF REPORT  
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 PANAMA 02968 282234Z

GIVEN US BY AGENT (PANAMA 2944), EXPLAINING THAT SHIP'S

LOG INDICATED THAT LAST FISH WAS TAKEN IN COSTA RICAN WATERS ON APRIL 24 AND THAT VESSEL WAS PROCEEDING TO PANAMA CANAL FOR TRANSIT AND RETURN TO HOME PORT IN PUERTO RICO. ACCORDING TO AGENT, I SAID, "VOYAGER" WAS WASHING ITS NETS AND THAT ANY FISHERIES EXPERT INTERPRETING PHOTOGRAPHS TAKEN BY PANAMANIAN PATROL PLANE COULD READILY CONFIRM THIS. I REPEATED AGENT'S REPORT THAT "VOYAGER" HAD NOT BEEN APPROACHED OR STOPPED BY PANAMANIAN PATROL BOAT PRIOR TO ARRIVAL IN CANAL ZONE WATERS.

4. I TOLD FONMIN THAT QUITE APRTT FROM FACTS OF THIS PARTICULAR INCIDENT, THE TRUTH IS THAT OUR TWO GOVERNMENTS ARE IN A VERY DELICATE PERIOD WHERE INCIDENTS OF THIS KIND CANNOT HELP PANAMA BUT ONLY ENCOURAGE ENEMIES OF TREATY AND OFFER OPPORTUNITIES TO ATTACK EFFORTS OF SECRETARY KISSINGER AND AMBASSADOR BUNKER TO REACH AGREEMENT ON A JUST AND EQUITABLE TREATY. I INDICATED THAT IN VIEW OF OUR MUTUAL EFFORTS TO ESTABLISH A NEW RELATIONSHIP OF FRIENDLY COOPERATION, PROPER APPROACH WOULD BE TO CALL ME IN AND INFORM ME OF PROBLEM OF US TUNA BOATS FISHING IN PANAMANIAN WATERS SO THAT I COULD ASK MY GOVERNMENT TO WARN FISHING INDUSTRY REPRESENTATIVES OF GOP INTENTION TO TAKE ENFORCEMENT MEASURES. I REITERATED THAT SEIZURE OF US VESSEL AT THIS TIME WOULD HAVE SERIOUS REPERCUSSIONS GOING FAR BEYOND VALUE OF TUNA CATCH ABOARD "FOYAGER".

5. FOREIGN MINISTER SAID HE WAS FAMILIAR WITH "VOYAGER" CASE STATING HE WAS CALLED PERSONALLY BY MAJOR MOTTA, COMMANDER OF GN NAVY SECTION, WHO HAD FLOWN OVER "VOYAGER" AND WHO CLAIMED SUBJECT VESSEL WAS FLAGRANTLY VIOLATING PANAMANIAN FISHING LAWS. HE SAID MOTTA FELT LIKE "FRUSTRATED COP" AND HAD THREATENED TO ENTER CANAL ZONE WATERS TO EFFECT A SEIZURE. FONMIN SAID HE HAD CALMED MAJOR MOTTA BY PUTTING MATTER INTO DIPLOMATIC CHANNELS SAME DAY THROUGH MINISTRY'S NOTE TO EMBASSY. MINISTER BOYD AGREED THAT A TUNA BOAT INCIDENT AT THIS TIME WOULD BE HIGHLY UNTIMELY. HE ALSO AGREED ON NEED TO MAINTAIN COMMUNICATIONS BUT SAID THAT THIS WORKS BOTH WAYS AND REFERRED TO MEAT IMPORT PROGRAM (DISCUSSED EARLIER) AS EXAMPLE WHERE US MIGHT BETTER KEEP GOP INFORMED. BOYD CONFIDENTIAL

CONFIDENTIAL

PAGE 03 PANAMA 02968 282234Z

REQUESTED EMBASSY REPLY TO MINISTRY'S NOTE WITH ABOVE EXPLANATION WHICH HE WOULD USE TO REASSURE MAJOR MOTTA.

6. BOYD WAS SURPRISED TO HEAR OF ALLEGED SHOOTING INCIDENT INVOLVING "BOLD PRODUCER" AND ASKED FOR ADDITIONAL DETAILS AND PRESENT LOCATION OF BOAT WHICH I WAS UNABLE TO PROVIDE.

7. AS PREVIOUSLY REPORTED I HAVE ALREADY TALKED TO THE

PRESIDENT ABOUT THE "VOYAGER" AND I EXPECT TO SPEAK TO  
GENERAL TORRIJOS ON THIS MATTER.

JORDEN

CONFIDENTIAL

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** SHIP DETENTION, POLICIES, DIPLOMATIC DISCUSSIONS, VOYAGER F/V, FISHING BOATS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 28 APR 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** blochd0  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976PANAMA02968  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Film Number:** D760161-0978  
**From:** PANAMA  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1976/newtext/t19760411/aaaaaiyr.tel  
**Line Count:** 119  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION ARA  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** 76 STATE 102028  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** blochd0  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 21 JUL 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <21 JUL 2004 by MartinML>; APPROVED <28 OCT 2004 by blochd0>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** PANAMANIAN REQUEST FOR SEIZURE OF US FLAG VESSEL  
**TAGS:** PFOR, PBOR, EFIS, PN, US  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006